

REMARKS

Claims 16, 17, 32 and 33 have been amended. Non-elected claims 1-15 and 24-31 have been canceled. Claims 16-23 and 32-38 are pending.

In the office action, claims 16-23 and 32-38 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,609,998 to Lauzon et al. in view of U.S. Patent No. 6,804,935 to Schneider. The Applicants traverse this ground of rejection for the following reasons.

Independent claims 16 and 32 have been amended to clarify that the sliders are inserted after the flangeless zipper strips have been joined to the folded bag making material and after a portion of the bag making material including the fold line has been removed. The end result is that portions of the bag making material joined to the flangeless zipper strips will be disposed between the respective zipper strip and a respective sidewall of the slider. No such method of manufacture is contemplated or suggested by the combination of prior art proposed by the Examiner.

In accordance with the teaching of Lauzon, a tear line 67 is provided to enable a bag user to remove the folded header overlying the zipper. This is done long after the manufacturing process has been completed. Lauzon does not disclose that the folded header is removed at any time during

the manufacturing process. Thus Lauzon does not contemplate inserting sliders on the zippers of its reclosable bags.

Furthermore, the Schneider reference teaches first inserting sliders on a zipper and then attaching the slider-carrying zipper to a web of bag making material. This is not what Applicants are claiming. In accordance with the invention as recited in claims 16 and 32, the sliders are inserted on the zipper strips after the zipper strips have been joined to the bag making material.

There is no way that the manufacturing process of Schneider, if combined with Lauzon in the manner proposed by the Examiner, would result in portions of the bag making material being disposed between the respective zipper strips and the respective sidewalls of the slider, since the sliders in the Schneider process are inserted on the zipper before the latter is attached to the bag making material, and once that happens, it would not be possible to place bag making material between the slider sidewalls and the zipper.

Since a limitation of amended claims 16 and 32 is absent from both references, a *prima facie* case of obviousness cannot be made using the Lauzon and Schneider.

Furthermore, Lauzon discloses only reclosable bags with headers (see, e.g., Figures 13B and 14B, cited by the Examiner). It is not possible to insert a slider on a string zipper installed in the mouth of a receptacle having a header


when the header and the receptacle are both formed from the same piece of film. Therefore it is not possible to insert a slider on the reclosable bags disclosed by Lauzon. Accordingly, no motivation can be found in either reference for using the slider insertion technique of Schneider to insert sliders on the reclosable bags of Lauzon. Since motivation for the proposed modification is also a necessary element of a *prima facie* case of obviousness, the impossibility of inserting sliders on Lauzon's bags is further proof that a *prima facie* case of obviousness cannot be made using the Lauzon and Schneider references.

Accordingly, the Applicants respectfully submit that the obviousness rejection based on the combination of Lauzon and Schneider should be withdrawn.

In view of the foregoing, the Applicants submit that this application is now in condition for allowance. Reconsideration of the application and allowance of claims 16-23 and 32-38 are hereby requested.

Respectfully submitted,

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Date

  
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